

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff,

vs.

2K GAMES, INC. and TAKE-TWO  
INTERACTIVE SOFTWARE, INC.,

Defendants.

CASE No. 1:17-cv-02635

Judge Christopher A. Boyko

---

**DECLARATION OF DUSTIN LIKENS**

1. I, Dustin Likens, submit this Declaration on behalf of James Hayden (“Mr. Hayden” or “Plaintiff”) in support of Plaintiff’s Opposition to Defendants’ Motion to Exclude Testimony, Argument or Evidence Regarding Justin Lenzo’s Potential Market Opinion.

2. I am an Attorney at the law firm Calfee, Halter & Griswold LLP.

3. Attached as **Ex. A** to this Declaration is a true and correct copy of the Rebuttal Expert Report of Dr. Justin Lenzo, served on July 1, 2021.

4. Attached as **Ex. B** to this Declaration is a true and correct copy of excerpts from the deposition of Dr. Justin Lenzo, taken on August 17, 2021.

5. Attached as **Ex. C** to this Declaration is a true and correct copy of excerpts from the Expert Report of James E. Malackowski, served on May 27, 2021.

6. Attached as **Ex. D** to this Declaration is a true and correct copy of excerpts from the Expert Report and Declarations of Nina Jablonski, Ph.D., served on May 27, 2021.

I, Dustin Likens, declare under penalty of perjury that the foregoing Declaration is true and correct.

Dated: November 22, 2021

/s/ *Dustin Likens*  
Dustin Likens